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Defendant.

MAGISTRATE JUDGE'S FINDINGS AND RECOMMENDATION UPON A PLEA OF GUILTY

In consideration of that hearing and the allocution made by the Defendant under oath on the record and in the presence of counsel, and the remarks of the Assistant United States Attorney,

(1) that Defendant is competent to plead;

1 (2) that Defendant understands his/her right to trial;

2 (3) that Defendant understands what the minimum mandatory and
3 maximum possible sentence is, including the effect of the supervised release term, and
4 defendant understands that the sentencing guidelines apply and that the court may depart
5 from those guidelines under some circumstances;

6 (4) that the plea of guilty by the Defendant has been knowingly and
7 voluntarily made and is not the result of force or threats or of promises apart from the
8 agreement between the parties;

9 (5) that Defendant understands the nature of the charge against him/her;

10 (6) that Defendant understands that his/her answers may later be used
11 against him/her in a prosecution for perjury or false statement; and

12 (7) that there is a factual basis for the Defendant's plea;

13 (8) that the defendant knowingly, intelligently and voluntarily waived
14 his/her right to appeal or collaterally attack his/her conviction and any
15 sentence imposed if it is within the range permitted by the plea
16 agreement;

17 and further,

18 (B) I RECOMMEND that the District Court accept the Defendant's plea of guilty to the
19 Information which charges Title 8, United States Code, Sections 1324(a)(1)(A)(ii) and
20 1324(a)(1)(B)(i); Transportation of Illegal Aliens for Profit.

21 (C) The parties have fourteen (14) days from the date of service of this Report and
22 Recommendation to file written objections with the District Court.

23 IT IS FURTHER ORDERED:

24 (D) Presentence Report to be prepared. (1) Any objection(s) to the presentence report shall
25 be filed no later than 14 days after receiving the presentence report pursuant to Fed.R.
26 Crim.P. 32 (f) (1); (2) any response to the objection(s) to the presentence report shall be filed
27 no later than 11 days after receiving the objection(s); (3) any sentencing memorandum shall
28 be filed no later than 5 business days prior to sentencing; (4) Any party seeking to continue
a sentencing date shall file a Motion to Continue no later than two (2) business days prior to
the date of the hearing. Additionally, counsel shall telephonically notify chambers when
sentencing is within two (2) business days; (5) failure to comply with this Order may result
in the imposition of sanctions.

DATED this 24th day of April, 2015.


CHARLES R. PYLE
UNITED STATES MAGISTRATE JUDGE